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July 8, 2008

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2822

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 10/780,877; Filed: February 19, 2004
For: **Overlay Correction By Reducing Wafer Slipping After Alignment**
Inventor: Peter Kochersperger
Our Ref: 1857.2140000

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Online Credit Card Payment Authorization in the amount of \$180.00 to cover:
\$ 180.00 fee under 37 C.F.R. § 1.17(p);
2. Information Disclosure Statement;
3. Form PTO/SB/08A (2 sheets) listing nineteen (19) documents (US1-US8 and FP1-FP11);
4. Form PTO/SB/08B (1 sheet) listing three (3) documents (NPL1-NPL3); and
5. Copies of cited documents (FP1-FP11 and NPL1-NPL3).

The above-listed documents are filed electronically through EFS-Web.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
July 8, 2008
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Fee payment is provided through online credit card payment. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Michelle K. Holoubek".

Michelle K. Holoubek
Attorney for Applicant
Registration No. 54,179

MKH/ahw
Enclosures

DOC#844202_1.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter Kochersperger

Appl. No.: 10/780,877

Filed: February 19, 2004

For: **Overlay Correction By Reducing
Wafer Slipping After Alignment**

Confirmation No.: 1990

Art Unit: 2822

Examiner: Duong, Khanh B.

Atty. Docket: 1857.2140000

Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the patentability of this application as defined in 37 C.F.R. §1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98.

Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ c. The required fee is provided through online credit card payment authorization in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. The required fee is provided through online credit card payment authorization in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ 5. The documents, FP1-FP2 and FP6, were cited in an office action, NPL1, by a foreign patent office in a counterpart foreign application. Submission of an English language version of the office action that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 6. A concise explanation of the relevance of the non-English language documents appears below in accordance with 37 C.F.R. § 1.98(a)(3).

Document FP3 (JP 62-256451 A) appears to describe a method and apparatus for expanding vacuum wafer, as indicated by the enclosed cover page of the

document. U.S. Patent No. 4,744,550, cited by the Examiner on form PTO-892 issued with the Office Action of June 7, 2006, represents the English language equivalent of document FP3.

Document FP4 (JP 10-92728 A) appears to describe a device for holding substrate and aligner using the same, as indicated by its English language abstract, which is enclosed as the cover page of the document.

Document FP5 (JP 11-16807 A) appears to describe a method and device for magnification correction, as indicated by its English language abstract, which is enclosed as the cover page of the document.

Document FP7 (JP 2002-198307 A) appears to describe a holding chuck for lithography system, as indicated by its English language abstract, which is enclosed as the cover page of the document. Document US6 (US 6,653,639 B1) is cited to represent the English equivalent of document FP7.

Document FP8 (JP 2003-3224054 A) appears to describe a semiconductor aligner, as indicated by its English language abstract, which is enclosed as the cover page of the document.

Document FP9 (JP 2004-6706 A) appears to describe a holding method and apparatus for reducing thermal stress in wafer, as indicated by its English language abstract, which is enclosed as the cover page of the document. Document US7 (US 6,734,117 B2) is cited to represent the English equivalent of document FP9.

- ☒ 7. Copies of documents FP1-FP11 and NPL1-NPL3 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached IDS Forms are submitted.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☒ 9. It is requested that the examiner will review the prosecution and cited art in the child application no. 11/695,949 filed April 3, 2007, and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michelle K. Holoubek
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Date: **July 8, 2008**

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